

Svizzero, Michael

From: Faison, George
Sent: Monday, February 03, 2014 9:34 AM
To: Svizzero, Michael
Subject: FW: Meeting request: Entsorga
Attachments: Entsorga letter to EPA - July 23 2013 pdf.pdf

George Faison
U.S. Environmental Protection Agency
OSWER, ORCR
1200 Pennsylvania Avenue, NW
Mail Code 5303P
Washington, DC 20460

Phone - (703)305-7652
faison.george@epa.gov

From: Johnson, Barnes
Sent: Monday, October 28, 2013 8:32 AM
To: Armstead, John A.; Naylor, Wayne
Cc: Devlin, Betsy; Elliott, Ross; ORCR IO; Faison, George; Cozzie, David
Subject: FW: Meeting request: Entsorga

FYI – not sure what your involvement has been in this to date but I would expect to have R3 and OAQPS on the line when we meet with them next week.

Take care,

Barnes Johnson

USEPA | Resource Conservation and Recovery | Tel 703-308-8895 |
johnson.barnes@epa.gov

From: Jonathan Birdsong [<mailto:jbirdsong@bwstrategies.com>]
Sent: Friday, October 25, 2013 12:42 PM
To: Johnson, Barnes
Subject: Meeting request: Entsorga

Dear Mr. Barnes:

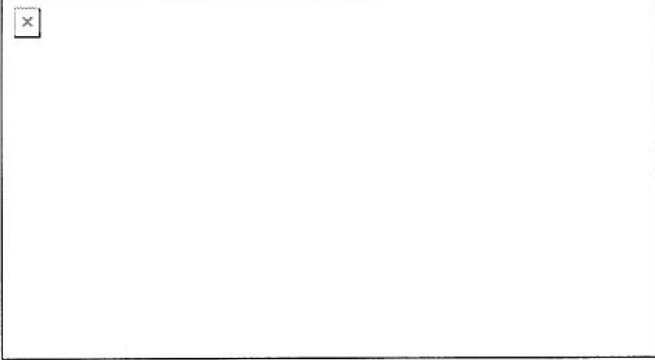
Over two years ago, Entsorga submitted data to the Agency showing that their proposed project meets all of EPA's "Legitimacy Criteria" as outlined in 40 CFR 241(3)(d). See letter to the Administrator attached.

Executives from the company will be in Washington November 5-8 and would like to schedule a meeting with you to discuss where their request is in the process, and what else we can do to help the Agency.

Thank you for your time and consideration. We look forward to hearing from you.

Sincerely,

Jonathan Birdsong



Powered by [CardScan](#)



Entsorga West Virginia LLC

July 23, 2013

The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N. W.
Mail Code: 1101A
Washington, DC 20460

Dear Administrator McCarthy:

In June 2011, we wrote the U.S. Environmental Protection Agency (EPA) requesting the Agency's opinion on whether we could use non-hazardous engineered fuels as a supplemental fuel for a new cement plant in West Virginia. Since that time, at least one other company with a similar product has received a response back from the EPA allowing their project to proceed, despite the fact that the other company's approval took less than a year. The EPA's delay on our proposed facility in West Virginia is having significant economic impacts on our ability to construct the facility in West Virginia, jeopardizing the State's economy and environment. We request your immediate assistance.

Entsorga West Virginia LLC (Entsorga) is proposing to supply a cement manufacturing facility in Martinsburg, WV with supplemental fuel using non-hazardous engineered fuels. Cement plants typically use coal and petroleum coke in their kiln system and the engineered fuel Entsorga is proposing could be used to supplement existing fuels. This project enjoys widespread state support. On March 11, 2013, an Administrative Law Judge for the West Virginia Public Services Commission ruled that the plant meets all their criteria and should be permitted. Additionally, if this project is completed, it will compliment Essroc cement by helping them significantly reduce their existing emissions

Entsorga West Virginia llc
1979 Eastwood Road,
Wilmington NC 28403
+1 910 509 4462

www.entsorgawv.com/

and operational costs (enclosure). Our estimates show this project would reduce 20,000 tons of greenhouse gases annually.

On June 23, 2011, Entsorga formally requested EPA to determine whether their non-hazardous engineered fuel could be manufactured and sold as an alternate fuel. In our letter, we provided detailed answers to all the questions related to the EPA's "Legitimacy Criteria." Our product meets all the of EPA's "Legitimacy Criteria" as outlined in 40 CFR 241(3)(d).

We also provided written answers to questions asked by EPA staff on July 29, 2011. We did not receive any correspondence from the EPA for over a year. On October 23, 2013, we initiated an in-person meeting with the EPA, where it was suggested that the company provide additional material because they wanted to "approve the project." On December 12, 2012, Entsorga provided all of the additional information requested by EPA staff. We have had several subsequent calls with the Agency, and EPA staff has assured Entsorga that our proposal is currently technically sound and complete.

Entsorga has worked cooperatively with the EPA for over two years, and has been working with West Virginia to ensure complete compliance and support. Since our initial submittal, other companies have been approved by the EPA, despite the fact that the information they provided was not as detailed – nor product as clean – as that of Entsorga's.

This is an important project for our company, will create many new jobs and will benefit the environment. Entsorga has been a good partner to the EPA, addressed all of the Agency's questions, and our product meets the Agency's "Legitimacy Criteria." As such we don't think there should be further delay and hope you can help us come to a quick resolution.

Thank you for your time and consideration.

Sincerely,

Pietro Cella Mazzariol
CEO



Cc: U.S. Senator Jay Rockefeller
U.S. Senator Joe Manchin

Entsorga West Virginia LLC
1979 Eastwood Road,
Wilmington NC 28403
+1 910 509 4462

www.entsorgawv.com/

ENTSORGA

Background

- Entsorga proposes to construct and operate a SRF (solid refuse fuel) manufacturing facility in Martinsburg, WV. The SRF is processed from mixed black bag MSW. The facility is intended to provide the SRF to a cement plant to supplement the use of traditional fuels, which includes bituminous coal and petroleum coke, in their cement kiln system.
- The SRF production process entails the use of a sophisticated Mechanical Biological Treatment (MBT) process followed by mechanical refinement including screens, air separation, magnetic and eddy current separators, a Near Infra Red (NIR) system, and additional shredding to remove contaminants from solid waste, recover the valuable fuel feedstock and improve the physical and combustion attributes of the material such that it meets unique customer specifications
- Meets both the processing definition and the legitimacy criteria outline.

Major Issues Impacting Response

1. Is MSW a subset of SW and thus can be processed into a non-waste under Part 241?
2. Does WM processing and product fuel meet the Part 241 standards and exceed RDF standards ?

Timeline

- June 23, 2011 -- Original request for clarification letter received.
- July 29, 2011 - Written answers to verbal questions received
- **On hold per issue 1**
- August 24, 2012 – ReCommunity MSW letter issued
- October 23, 2012 – In person meeting with J. Berlow
- December 12, 2012 - Answers received to question posed at October meeting
- **On hold per issue 2**
- February 8, 2013 – Additional questions to Entsorga
- February 13, 2013 – Questions answered
- March 8 and 15 - Followup info received
- **On hold per issue 2**
- July 25, 2013 – OAQPS questions to Entsorga
- August 2, 2013 – Questions answered
- August 27, 2013 – WM letter issued
- September 26, 2013 - Additional OAQPS questions to Entsorga
- October 9, 2013 – Answers received
- October 22, 2013 – Entsorga requests meeting to discuss answers
- October 29, 2013 - Entsorga requests meeting to discuss answers

MEETING WITH ENTSORGA 11/5/2013

<u>NAME</u>	<u>AFFILIATION</u>	<u>PHONE</u>
GEORGE FARSON	EPA, OSWER	103-305-7152
Betsy Devlin	EPA, OSWER	703-308-7906
Barnes Johnson	EPA, OSWER	703-308-8895
PAOLO CAROLLO	CHEMTX INT.	910-616-2993
Jonathan Birdsong	BlueWater Strategies	202 589 1757
PIER CELLA	ENTSORGA WV LLC	+39 348 5800901
David Constant	Esroc Cement Corp.	610 837 3336

